

AUG. 15. 2006 3:44PM

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RECEIVED NO. 3014 P. 1
CENTRAL FAX CENTER

AUG 15 2006

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August 15, 2006

from **HOLLY D. KOZLOWSKI**

Direct: 513-977-8568 / Fax: 513-977-8141 / holly.kozlowski@dinslaw.com

To: Commissioner for Patents

Fax Number: 571-273-8300

Client Number: 33649-17

Pages: 4
(including cover)

Comments:

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PAGE 1/4 * RCVD AT 8/15/2006 3:46:59 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-6/33 * DNIS:2738300 * CSID:5139778141 * DURATION (mm-ss):04-20

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Docket No. 33649-17

CERTIFICATE OF FACSIMILE

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**RECEIVED
CENTRAL FAX CENTER****PATENT****AUG 15 2006****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: John A. Kappelhof et al : Paper No.
Serial No.: 10/622,988 : Group Art Unit: 3731
Filing Date: July 18, 2003 : Examiner: Glenn K. Dawson
For: **Method and Device for Manipulation of an Intraocular Lens**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response in the above identified application.

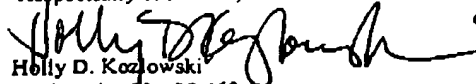
☒ No additional fee is required.
☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	79	79	0	x \$50=	\$00.00
Independent Claims	3	3	0	x \$200=	\$00.00
TOTAL FEE DUE					\$00.00

- ☐ A check in the amount of \$0 is enclosed.
- ☐ Please charge \$00.00 to our Visa credit card. Form PTO-2098 is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Holly D. Kozlowski
Registration No. 30,468
DINSMORE & SHOHL LLP
1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
(513) 977-8568

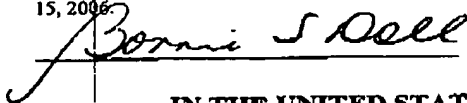
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Docket No. 33649-17

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Serial No.: 10/622,988 : Group Art Unit: 3731
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For: **Method and Device for Manipulation of an Intraocular Lens**

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Official Action dated July 24, 2006, the Examiner required restriction under 35 U.S.C. §121 between claims 1-30, drawn to a method of inserting an intraocular lens into a receptacle, and claims 31-80 drawn to a device for stretching the haptics of an intraocular lens. Applicants hereby elect the invention of claims 31-75 and 77-80 (claim 76 having been cancelled in the Preliminary Amendment filed with this application on July 18, 2003), with traverse. This election is made with traverse on the basis that it would not be unduly burdensome for the Examiner to examine the methods of claims 1-30 with the devices of claims 31-75 and 77-80.

The Examiner also required Applicants to elect under 35 U.S.C. §121 a single disclosed species between Species I of Fig. 4 and Species II of Fig. 5 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Applicants hereby elect the Species I of Figs. 4A and 4B. It is believed that

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NO. 3014 P. 4

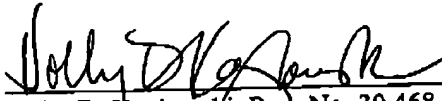
U.S. Patent Application Serial No.: 10/622,988
Response dated August 15, 2006
Reply to Official Action dated July 24, 2006

claims 31-37, 39-47, 50-52, 56-64, 67-75 and 77-80 read on the elected species. This election is made with traverse on the basis that it would not be unduly burdensome for the Examiner to examine both of the indicated species in this application in the event that a generic claim is not found to be allowable.

It is believed that the above represents a complete response to the Official Action.

Examination on the merits is respectfully requested.

Respectfully submitted,

By: 
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